Jan AF

44 ttorney Docket # 5255-43PUS

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of

Thomas SALUTZKI et al.

Serial No.:

10/518,702

Filed: December 20, 2004

For:

Drive Device for Opening or Closing a Door or

Similar

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Examiner: Williams, Thomas J.

addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Group Art: 3683

March 14, 2008 (Date of Deposit)

F. Brice Faller

Signature

March 14, 2008 Date of Signature

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## REQUEST FOR RECONSIDERATION

SIR:

In response to the Final Office Action dated January 17, 2008, reconsideration and withdrawal of the rejections therein are requested for the reasons following.

Claims 9, 10 and 12-16 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,618,899 (Ginzel), which incorporates U.S. Patent No. 4,019,220 (Lieberman).

Independent claim 9 recites, inter alia, "a piston made of polyoxymethylene plastic, the piston having a toothed rack... wherein the toothed rack is made of metal and is embedded in the piston by molding the polyoxymethylene plasic around the rack so that the rack and the piston form a one-piece element."

On page 3 of the Office Action, the Examiner contends that Lieberman discloses a rack which is made of metal and a piston which is molded around the rack. Applicant disagrees.